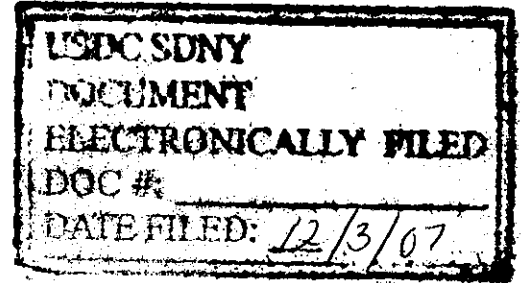


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



----- x
CHARLES COLEMAN, et al., :

Plaintiffs, :

-against- :

INTERCOUNTY PAVING ASSOCIATES, L.L.C., :
CARL LIZZA, JOHN LIZZA & DOE FIDUCIARY, :

Defendants. :
----- x

07 Civ. 8136 (BSJ) (AJP)

RULE 16 SCHEDULING ORDER

ANDREW J. PECK, United States Magistrate Judge:

Pursuant to Rule 16, Fed. R. Civ. P., IT IS HEREBY ORDERED THAT:

1. All fact and expert discovery must be completed by March 31, 2008.

Expert reports must be served by March 3, 2008. Mandatory initial disclosure pursuant to Rule 26(a)(1), Fed. R. Civ. P., is due by January 4, 2008. The parties shall discuss any issues with respect to electronic discovery before the next court conference.

2. Each party will notify this Court by April 2, 2008 as to whether it intends to move for summary judgment. Summary judgment motions must be filed by April 21, 2008, and must comply with the Federal Rules of Civil Procedure, the Local Rules of this Court, and the chamber rules of the District Judge to whom this case is assigned.

3. The parties are to submit a joint proposed pretrial order, in conformance with the Federal Rules of Civil Procedure, the Local Rules of this Court, and the chamber rules of the District Judge to whom this case is assigned, by April 21, 2008 if neither party is moving for summary judgment, or 30 days after decision on the summary judgment motion. The case will be considered trial ready on 24-hours notice after the pretrial order has been submitted.

4. A status conference will be held before the undersigned on January 15, 2008 at 9:30 a.m. in Courtroom 20D (500 Pearl Street).

5. The parties are directed to follow the "Individual Practices of Magistrate Judge Andrew J. Peck," a copy of which is enclosed.

SO ORDERED.

DATED: New York, New York
December 3, 2007



Andrew J. Peck
United States Magistrate Judge

Copies **by fax & ECF** to: Vincent F. O'Hara, Esq.
Nolan E. Shanahan, Esq.
Judge Barbara S. Jones